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10/538,492	06/09/2005	Koji Matsumoto	0020-5382PUS1	7092

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EXAMINER	
SULTANA, NAHIDA	

ART UNIT	PAPER NUMBER
1743	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

DETAILED ACTION

Response to Arguments

1. Applicant argued Albert polarizing film produced in examples of Albert et al. US' 561 is calculated, it is found that the polarizing films of Albert et al. have insufficient contrast. Applicant showed example in the argument (table A) that the polarizing films produced in example 1, 2, 3 and comparative examples described in the present specification , that the present invention have higher contrast than that the film produced by Albert et al.

2. Applicant's evidence presented in the table A in the argument section is not persuasive nor it is a proper affidavit or declaration. It had failed to properly compare the claimed ranges with all the range presented in the Albert reference. It only showed value at transmittance from 26-32 % at the wavelength 360 millmicron. However, Applicant failed to show the range of transmittance which exist beyond 360 micron to 400 micron. It is stated in Albert that increased transmittance and dichorism ranges from 260 to 400 millimicrons (example 1, col. 3. lines 5-25).

3. Furthermore electromagnetic radiation at wavelength between 380 nm to 760 nm is perceived as visible range. Applicant's failed to compare contrast at the visible range (wavelength =450) that is disclosed in the claimed invention with the visible range (wavelength = 400) in Alberts.

4. Applicant argued that Albert et al. does not suggest having absorbance of an aqueous solution containing boric acid at an wavelength of 450 nm and does not suggest maintaining such an absorbance to a specific value or less.

5. It is shown in Albert that dichorism and transmittance is controlled during preparing polarizer film of polyvinyl alcohol (col. 3. lines 1-10). Since, improvements shown at 260-400 millimicron region (col. 3. lines 15-25), it would have been obvious to produce polarizing film as taught in Isozaki by adjusting the transmittance and wavelength which are related to improvement in the final product, as taught in Albert, for the benefit of having improved efficiency, since it has been held that discoing the optimum value of a result effective variable involves routine skill in the art. *In re Boesch*, 617 F. 2d. 272 , 205 USPQ (CCPA 1980).

6. Lastly, Applicant argued Dempo reference that that Dempo do not describe or suggest the use of activated carbon in treating an aqueous solution containing boric acid.

7. Examiner agrees that Dempo do not suggest intermittently treating the aqueous solution (boric acid) with activated carbon. Examiner would like to withdraw the rejection for **claim 3 only**, however, the other claims 1, 2, 5-6 would still be rejected under Isozaki, in view of Albert, and 4 rejected under Isozaki in view of Albert and in further view of Tsuchimoto, 7 rejected under Isozaki in view of Albert, in view of Isozaki 2004'. Applicant is suggested to re-write the allowable claims including all the limitation into the independent claim.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NAHIDA SULTANA whose telephone number is (571)270-1925. The examiner can normally be reached on Mon- Fri 9:00 Am -5:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Del Sole can be reached on 571-272-1130. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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